

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11CV638-RJC

ANTHONY J. CRAWFORD,)
)
Plaintiff,)
)
v.)
)
DOCTOR JOHN DOE,)
)
Defendant.)
)

O R D E R

THIS MATTER comes before the Court on initial review of Plaintiff's Complaint under 42 U.S.C. § 1983 filed December 16, 2011 (Doc. No. 1). A review of Plaintiff's Complaint reveals that Plaintiff is complaining about the medical treatment he received by Dr. John Doe at Wake Medical Hospital in March and April 2008. (Doc. No. 1 at 4, 6). Upon consideration by the Court, for the reasons set forth herein, the Plaintiff's Complaint will be transferred to the federal District Court for the Eastern District of North Carolina.

Venue in a civil action based upon a federal question, i.e. alleged violations of an inmate's civil rights is proper in "(1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought." 28 U.S.C. § 1331(b).

Here, Plaintiff complains of events that occurred exclusively at Wake Medical Hospital. The Court takes judicial notice that Wake Medical Hospital is located in Raleigh, North Carolina which is situated within the Eastern District of North Carolina. Consequently, because the face of the

instant Complaint does not support a finding that the events giving rise to the claim occurred in the Western District of North Carolina, but instead took place in the Eastern District, this Court will not entertain the merits of Plaintiff's claim and will transfer this Complaint to the Eastern District of North Carolina.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Plaintiff's Complaint, including Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. No. 1-1), is **TRANSFERRED** to the federal District Court for the Eastern District of North Carolina.

Signed: January 11, 2012



Robert J. Conrad, Jr.
Chief United States District Judge
